

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

DARRELL WAYNE PARKER,

Petitioner,

versus

CIVIL ACTION NO. 1:12-CV-407

DIRECTOR, TDCJ-CID,

Respondent.

MEMORANDUM OPINION AND ORDER

Petitioner has filed a motion to set aside order (#31). Petitioner complains that his motion for the appointment of counsel was denied by the magistrate judge. This memorandum opinion considers such motion.

Analysis

The court referred this matter to a United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. In accordance with 28 U.S.C. § 636(b)(1)(A), a judge of the court may reconsider any pretrial matter referred to a magistrate judge under subparagraph (A) where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law.

The magistrate judge denied petitioner's motion for the appointment of counsel. The order recited that petitioner does not have a right to the appointment of counsel, and the interests of justice do not require the appointment of counsel in this particular case. While petitioner disagrees, it is evident from the quantity and quality of petitioner's pleadings that petitioner has been able to articulate his claims to the court and there is no need for an attorney to assist him.

After careful consideration, the court is of the opinion that petitioner's objections to the denial of his motion for the appointment of counsel lack merit and should be overruled. The court finds the order of the magistrate judge neither clearly erroneous nor contrary to law. Therefore, the motion for reconsideration should be denied.

ORDER

For the reasons set forth above, petitioner's motion is without merit and should be denied.

It is

ORDERED that petitioner's motion to set aside order (#31) is **DENIED**.

SIGNED at Beaumont, Texas, this 12th day of March, 2025.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE